

TRANSFER OF CERTAIN RIGHTS AND FRANCHISES OF  
WEST VIRGINIA TO THE UNITED STATES.

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JOINT RESOLUTION

OF THE

LEGISLATURE OF WEST VIRGINIA,

PROVIDING FOR

*The transfer of certain rights and franchises of the State of West Virginia  
to the United States.*

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JANUARY 22, 1873.—Referred to the Committee on Commerce and ordered to be  
printed.

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Whereas the Congress of the United States recently made an appropriation for a survey to ascertain whether it was practicable to construct a continuous water-line through this State, to connect the waters of the Mississippi Valley with the Chesapeake Bay; and the engineers employed for that purpose have shown that such a line is practicable; and

Whereas the State of West Virginia regards the said line as a work of national importance, and is anxious to afford every facility for the construction of the same: Therefore be it

*Resolved by the legislature of West Virginia:*

1. That the State of West Virginia hereby agrees to transfer all the rights, privileges, and franchises, now owned or possessed by the State in the Kanawha River improvement, and the chutes, dams, wing-dams, channels, and all other work heretofore done in the Kanawha River, together with jurisdiction in and over the Kanawha River from its mouth to the mouth of Gauley River, and over the New River from the mouth of Gauley to the mouth of Greenbrier River, and over the Greenbrier River from its mouth to the mouth of Howard and Anthony Creeks, and from the mouth of said creeks to the State line; and also the right, power, and franchise to construct, maintain, and operate a good and substantial through water-line from the mouth of the Kanawha River to the Chesapeake Bay, so far as the said water-line shall pass through, and be located in this State: *Provided*, That the rights, privileges, and franchises herein mentioned shall never be so exercised as to affect or impair any right now vested in the Chesapeake and Ohio Railroad Company, by or under the laws of this State.

2. The board of public works is hereby authorized to appoint nine commissioners on the part of the State, one to be chosen from each judicial circuit, any five or more of whom may act, to confer and nego-

tiate with any commissioners or persons who may be authorized by law to act for and on behalf of the United States, in regard to a transfer to the United States of the said rights, privileges, and franchises. Three-fourths of the said commissioners, at least, shall consent to any contract or agreement that may be proposed touching the said transfer.

3. That the said commissioners shall, as soon as a contract is proposed to them, which they, or three-fourths of them may deem acceptable and just, transmit it to the governor of this State, who shall submit the same to the legislature for their action, if it be in session at the time; and if the legislature be not then in session, he shall convene it as speedily as possible for that purpose.

4. That the State of Virginia be respectfully requested to take concurrent action in the matter referred to in the foregoing resolutions, and that a copy of the same be sent by the governor of this State to the Governor of Virginia, with the request that he lay them before the legislature of that State.

5. That a copy of these resolutions be sent to each of the Senators and Representatives in Congress from this State, and they be requested to lay the same before Congress, and to the governors of the following States: Virginia, Maryland, Ohio, Kentucky, Tennessee, Indiana, Illinois, Missouri, Arkansas, Kansas, Iowa, Wisconsin, Minnesota, Nebraska, Pennsylvania, and North Carolina.

Adopted December 21, 1872.

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STATE OF WEST VIRGINIA,  
CLERK'S OFFICE, HOUSE OF DELEGATES,  
*Charleston, January 15, 1873.*

I, J. B. Peyton, clerk of the house of delegates, and, as such, keeper of the rolls, do hereby certify that the above and foregoing is a true and correct copy of a joint resolution adopted by the legislature of West Virginia, December 21, 1872, entitled "joint resolution No. 10, providing for the transfer of certain rights and franchises of the State of West Virginia to the United States," as appears from the records in my office.

Given under my hand this the 15th day of January, 1873.

J. B. PEYTON,  
*Clerk of the house of delegates, and keeper of the rolls.*